

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ANTHONY McCOY,

Plaintiff,

v.

Civil Action No. 3:11CV274

S.R. WATSON,

Defendant.

MEMORANDUM OPINION

On May 10, 2011, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on June 3, 2011, the Court directed Plaintiff to pay an initial partial filing fee of \$6.14 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See 28 U.S.C. § 1915(b)(1)*. Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall issue.

/s/

James R. Spencer
Chief United States District Judge

Date: 8-29-11
Richmond, Virginia